

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 18 be amended to read as follows:

- 1 Page 12, line 36, delete "Seven" and insert "**Ten**".
- 2 Page 12, line 36, delete "(\$7,000,000)." and insert "**(\$10,000,000).**".
- 3 Page 12, line 38, delete "five-tenths of".
- 4 Page 12, line 38, delete "(0.5%)" and insert "**(1%)**".
- 5 Page 12, line 41, delete "two" and insert "**five**".
- 6 Page 12, line 41, delete "(\$200,000)." and insert "**(\$500,000).**".
- 7 Page 13, line 40, delete "Except as provided in subsection (b)," and
- 8 insert "**This section does not apply to a controlled project if a**
- 9 **sufficient petition requesting a local public question on the**
- 10 **controlled project has been filed as set forth in section 3.5 of this**
- 11 **chapter.**".
- 12 Page 13, delete lines 41 through 42.
- 13 Page 14, delete lines 1 through 2.
- 14 Page 18, line 4, delete "Except as provided in" and insert "**This**
- 15 **section does not apply to a controlled project if a sufficient petition**
- 16 **requesting a local public question on the controlled project has**
- 17 **been filed as set forth in section 3.5 of this chapter.**".
- 18 Page 18, delete lines 5 through 8.
- 19 Page 22, line 25, delete "Except as provided in subsection (b)," and
- 20 insert "**This section does not apply to a controlled project if a**
- 21 **sufficient petition requesting a local public question on the**
- 22 **controlled project has been filed as set forth in section 3.5 of this**
- 23 **chapter.**".
- 24 Page 22, delete lines 26 through 29.
- 25 Page 22, line 35, after "chapter" delete ";" and insert ".".
- 26 Page 22, delete lines 36 through 38.
- 27 Page 24, between lines 35 and 36, begin a new line block indented
- 28 and insert:
- 29 "**(4) After notice is given, a petition requesting the application**
- 30 **of the local public question process under section 3.6 of this**
- 31 **chapter may be filed by the lesser of:**

1 (A) one thousand (1,000) persons who are either owners of
2 real property within the political subdivision or registered
3 voters residing within the political subdivision; or

4 (B) five percent (5%) of the registered voters residing
5 within the political subdivision.

6 (5) The state board of accounts shall design and, upon request
7 by the county voter registration office, deliver to the county
8 voter registration office or the county voter registration
9 office's designated printer the petition forms to be used solely
10 in the petition process described in this section. The county
11 voter registration office shall issue to an owner or owners of
12 real property within the political subdivision or a registered
13 voter residing within the political subdivision the number of
14 petition forms requested by the owner or owners or the
15 registered voter. Each form must be accompanied by
16 instructions detailing the requirements that:

17 (A) the carrier and signers must be owners of real
18 property or registered voters;

19 (B) the carrier must be a signatory on at least one (1)
20 petition;

21 (C) after the signatures have been collected, the carrier
22 must swear or affirm before a notary public that the
23 carrier witnessed each signature; and

24 (D) govern the closing date for the petition period.

25 Persons requesting forms may be required to identify
26 themselves as owners of real property or registered voters and
27 may be allowed to pick up additional copies to distribute to
28 other property owners or registered voters. Each person
29 signing a petition must indicate whether the person is signing
30 the petition as a registered voter within the political
31 subdivision or is signing the petition as the owner of real
32 property within the political subdivision. A person who signs
33 a petition as a registered voter must indicate the address at
34 which the person is registered to vote. A person who signs a
35 petition as a real property owner must indicate the address of
36 the real property owned by the person in the political
37 subdivision.

38 (6) Each petition must be verified under oath by at least one
39 (1) qualified petitioner in a manner prescribed by the state
40 board of accounts before the petition is filed with the county
41 voter registration office under subdivision (7).

42 (7) Each petition must be filed with the county voter
43 registration office not more than thirty (30) days after
44 publication under subdivision (2) of the notice of the
45 preliminary determination.

46 (8) The county voter registration office shall determine
47 whether each person who signed the petition is a registered
48 voter. The county voter registration office shall not more than

1 fifteen (15) business days after receiving a petition forward a
2 copy of the petition to the county auditor. Not more than ten
3 (10) business days after receiving the copy of the petition, the
4 county auditor shall provide to the county voter registration
5 office a statement verifying:

6 (A) whether a person who signed the petition as a
7 registered voter but is not a registered voter, as
8 determined by the county voter registration office, is the
9 owner of real property in the political subdivision; and

10 (B) whether a person who signed the petition as an owner
11 of real property within the political subdivision does in fact
12 own real property within the political subdivision.

13 (9) The county voter registration office shall not more than
14 ten (10) business days after receiving the statement from the
15 county auditor under subdivision (8) make the final
16 determination of the number of petitioners that are registered
17 voters in the political subdivision and, based on the statement
18 provided by the county auditor, the number of petitioners that
19 own real property within the political subdivision. Whenever
20 the name of an individual who signs a petition form as a
21 registered voter contains a minor variation from the name of
22 the registered voter as set forth in the records of the county
23 voter registration office, the signature is presumed to be valid,
24 and there is a presumption that the individual is entitled to
25 sign the petition under this section. Except as otherwise
26 provided in this chapter, in determining whether an
27 individual is a registered voter, the county voter registration
28 office shall apply the requirements and procedures used
29 under IC 3 to determine whether a person is a registered
30 voter for purposes of voting in an election governed by IC 3.
31 However, an individual is not required to comply with the
32 provisions concerning providing proof of identification to be
33 considered a registered voter for purposes of this chapter. A
34 person is entitled to sign a petition only one (1) time in a
35 particular petition and remonstrance process under this
36 chapter, regardless of whether the person owns more than one
37 (1) parcel of real property within the subdivision and
38 regardless of whether the person is both a registered voter in
39 the political subdivision and the owner of real property within
40 the political subdivision. Notwithstanding any other provision
41 of this section, if a petition is presented to the county voter
42 registration office within thirty-five (35) days before an
43 election, the county voter registration office may defer acting
44 on the petition, and the time requirements under this section
45 for action by the county voter registration office do not begin
46 to run until five (5) days after the date of the election.

47 (10) The county voter registration office must file a certificate
48 and each petition with:

1 (A) the township trustee, if the political subdivision is a
 2 township, who shall present the petition or petitions to the
 3 township board; or
 4 (B) the body that has the authority to authorize the
 5 issuance of the bonds or the execution of a lease, if the
 6 political subdivision is not a township;
 7 within thirty-five (35) business days of the filing of the petition
 8 requesting a petition and remonstrance process. The
 9 certificate must state the number of petitioners that are
 10 owners of real property within the political subdivision and
 11 the number of petitioners who are registered voters residing
 12 within the political subdivision.
 13 (11) If a sufficient petition requesting local public question
 14 process is not filed by owners of real property or registered
 15 voters as set forth in this section, the political subdivision may
 16 issue bonds or enter into a lease by following the provisions of
 17 law relating to the bonds to be issued or lease to be entered
 18 into."

19 Page 25, delete lines 12 through 15, begin a new paragraph and
 20 insert:

21 "(b) The following apply if a sufficient petition requesting the
 22 application of the local public question process has been filed as set
 23 forth in section 3.5 of this chapter:

24 (1) A political subdivision may not impose property taxes to
 25 pay debt service or lease rentals unless the political
 26 subdivision's proposed debt service or lease rental is approved
 27 in an election on a local public question held under this
 28 section.

29 (2) The petition and remonstrance process under section 3.2
 30 of this chapter does not apply, regardless of whether a
 31 sufficient petition requesting the application of a petition and
 32 remonstrance process has been filed as set forth in section 3.1
 33 of this chapter."

34 Page 31, line 36, delete "described by" and insert "**subject to**
 35 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or**".

36 Page 31, delete line 37.

37 Page 31, line 39, delete "described by IC 6-1.1-20-3.5(a);" and insert
 38 "**subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;**".

39 Page 33, line 20, delete "described by" and insert "**subject to**
 40 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or**".

41 Page 33, delete line 21.

42 Page 33, line 23, delete "described by IC 6-1.1-20-3.5(a);" and insert
 43 "**subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;**".

44 Page 34, line 12, delete "described by" and insert "**subject to**
 45 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or**".

46 Page 34, delete line 13.

47 Page 34, line 15, delete "described by IC 6-1.1-20-3.5(a)." and insert

- 1 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 2 Page 34, line 33, delete "described by" and insert **"subject to**
- 3 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 4 Page 34, delete line 34.
- 5 Page 34, line 36, delete "described by IC 6-1.1-20-3.5(a)." and insert
- 6 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 7 Page 35, line 9, delete "described by" and insert **"subject to**
- 8 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 9 Page 35, delete line 10.
- 10 Page 35, line 12, delete "described by IC 6-1.1-20-3.5(a)." and insert
- 11 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 12 Page 35, line 20, delete "a" and insert **"bonds subject to**
- 13 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 14 Page 35, delete lines 21 through 22.
- 15 Page 35, line 24, delete "a preliminary" and insert **"bonds subject**
- 16 **to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 17 Page 35, delete line 25.
- 18 Page 37, line 4, delete "described by IC 6-1.1-20-3.1(a);" and insert
- 19 **"subject to IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2;"**.
- 20 Page 37, line 6, delete "described by IC 6-1.1-20-3.5(a)." and insert
- 21 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 22 Page 40, line 16, delete "described by" and insert **"subject to**
- 23 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 24 Page 40, delete line 17.
- 25 Page 40, line 19, delete "described by IC 6-1.1-20-3.5(a)." and insert
- 26 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 27 Page 40, line 42, delete "described by" and insert **"subject to**
- 28 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 29 Page 41, delete line 1.
- 30 Page 41, line 3, delete "described by IC 6-1.1-20-3.5(a)." and insert
- 31 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 32 Page 43, line 30, delete "described by" and insert **"subject to**
- 33 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 34 Page 43, delete line 31.
- 35 Page 43, line 33, delete "described by IC 6-1.1-20-3.5(a);" and insert
- 36 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;"**.
- 37 Page 59, line 23, delete "described by" and insert **"subject to**
- 38 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 39 Page 59, delete line 24.
- 40 Page 59, line 26, delete "described by IC 6-1.1-20-3.5(a)." and insert
- 41 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
- 42 Page 60, line 23, delete "described by" and insert **"subject to**
- 43 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
- 44 Page 60, delete line 24.
- 45 Page 60, line 26, delete "described by IC 6-1.1-20-3.5(a);" and insert
- 46 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;"**.
- 47 Page 61, line 26, delete "described by" and insert **"subject to**

- 1 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or".**
 - 2 Page 61, delete line 27.
 - 3 Page 61, line 29, delete "described by IC 6-1.1-20-3.5(a);" and insert
 - 4 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;"**.
 - 5 Page 63, line 3, delete "described by" and insert **"subject to**
 - 6 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
 - 7 Page 63, delete line 4.
 - 8 Page 63, line 6, delete "described by IC 6-1.1-20-3.5(a)." and insert
 - 9 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6."**
 - 10 Page 64, line 21, delete "described by" and insert **"subject to**
 - 11 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
 - 12 Page 64, delete line 22.
 - 13 Page 64, line 24, delete "described by IC 6-1.1-20-3.5(a);" and insert
 - 14 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;"**.
 - 15 Page 65, line 42, delete "described by" and insert **"subject to**
 - 16 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
 - 17 Page 66, delete line 1.
 - 18 Page 66, line 3, delete "described by IC 6-1.1-20-3.5(a);" and insert
 - 19 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;"**.
 - 20 Page 67, line 4, delete "described by" and insert **"subject to**
 - 21 **IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2; or"**.
 - 22 Page 67, delete line 5.
 - 23 Page 67, line 7, delete "described by IC 6-1.1-20-3.5(a);" and insert
 - 24 **"subject to IC 6-1.1-20-3.5 and IC 6-1.1-20-3.6;"**.
- (Reference is to SB 18 as printed January 11, 2008.)

Senator BRODEN